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THE  
HISTORY OF IRELAND

DURING THE PERIOD OF

*PARLIAMENTARY INDEPENDENCE:*

A Lecture,

BY

JAMES WILLIAM BARLOW, M.A., F.T.C.D.,

PROFESSOR OF MODERN HISTORY IN THE UNIVERSITY OF DUBLIN.

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THIS Lecture was delivered in Trinity College, on the 26th of April, as one of the series of "Saturday Lectures" for 1873; and abstracts of it, more or less extensive, appeared in most of the Dublin journals. But as all such reports are, necessarily, imperfect I now print it in a separate form.



# LECTURE,

&c., &c.

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IT must not be supposed that in venturing to select an exciting period in the history of our country, as the subject of this Afternoon Lecture, I am at all unaware of the extreme peril of the undertaking. We have recently been favoured with a scheme for a National University which refuses to admit within its academic walls so noxious an incendiary as a professor of Modern History. And, although all Ireland, except the far-famed college of Magee, has united in repudiating this contrivance, respect for our Government will not allow me to believe that a precaution, so singular, is wholly destitute of reason. And yet I know not where a reason is to be found, except in the assumption that, in Ireland, a lecture on Modern History must be regarded as an incitement to a breach of the peace; and that the educated classes in this country are suitable subjects for restraints, which, among a less outrageous popula-

tion, would be considered expedient only in the case of a tumultuous mob.

If this interpretation be correct, we must view, as something absolutely portentous, the courage of a lecturer who, unbacked by the police, takes as his subject a period not merely of modern history, but of Modern *Irish* History—one, moreover, which involves a highly exciting national crisis. Still, although I have made no application to Colonel Lake for any assistance, and, although the vaults of this building are not filled (at least to my knowledge) with an ambush of constabulary, I apprehend no very serious disturbance as a result of this day's lecture. This may be fool-hardiness on my part; and, perhaps, the less excusable, inasmuch as I have no intention of dividing my whole time between abuse of the English and panegyric on ourselves. I regard the process of self-laudation—national as well as individual—as, at the best, an ungraceful process; and I hereby give fair notice that I shall make no allusion whatever, in the course of this lecture, either to first flowers of the earth, or first gems of the sea.

In order to understand the position of the Irish Parliament at the crisis of 1782, it is essential to bear in mind the laws, affecting its independence, which had previously been enacted in Great Britain. In the year 1698, Dr. William Molyneux, one of the Members of Parliament for the University of Dublin,



ventured to publish a little book called "The Case of Ireland's being bound by Acts of Parliament in England, Stated." His design was to show, by an historical retrospect, that England and Ireland, though united under one Sovereign, really form two perfectly distinct, and mutually independent nations. He writes in a style of extraordinary deference to the English Parliament; in language which our present Home Government Association would, doubtless, characterize as spiritless, not to say sneaking, if now employed. But, all his humility notwithstanding, the small treatise was not very courteously received by the authorities at Westminster. Those who had used their power to cramp our liberties went so far as to resent even the liberty of complaining; and at once ordered the book to be burned by the common hangman; although, as Swift, in the shape of a "Drapier," observes, "a man upon the rack was never known to be refused the liberty of roaring as loud as he thought fit."

No writer appears to have maintained that English statutes, before the Union, have any binding force in this country, unless Ireland is expressly named. And, according to Molyneux, only *three* ancient precedents have ever been produced by such statutes in which Ireland *is* expressly named. Of the first of these, the so-called *Statutum Hiberniæ* (14 Henry III.), he shows that it was merely an explanatory Act, or rather Ordinance, declaring, at the request of the Irish authorities, what certain English

usages really were. Of the second (17 Ed. I.), he points out that, although it certainly *did* profess to bind Ireland, it was invariably treated with silent contempt, and specially so by the Lord Lieutenant. And, as for the third, the Staple Act (2 Henry VI.), which had reference only to foreign trade, the English Judges differed as to the interpretation, and, in their judgment, made the important admission that the Irish “non obligantur per statuta in Anglia, *quia non hic habent milites parliamenti.*”

Such was the parliamentary law in 1494, when King Henry VII. nominated the Duke of York, afterwards King Henry VIII., to the Viceroyalty of Ireland. But, as at that time the country was in a slightly disturbed state, it was considered that the new Lord Lieutenant, being only three years of age, might perhaps be unable to wield the sword which the Sovereign had committed into his hand, with that amount of vigour which the exigencies of the time rendered advisable; and, therefore, Sir Edward Poynings, a man of considerably wider experience, was appointed his deputy. Under his administration our Parliament committed an act of political suicide, by simply transferring all real legislative power to the English Privy Council. The Statutes of Drogheda left to our national legislative assembly a bare negative or power of rejecting; they could no longer propose any new law, nor could they *alter*, though they might *reject*, a statute transmitted from England. A usage, indeed, arose of framing Bills

in either house under the denomination of “ heads for a Bill or Bills,” and in that shape they were offered for the consideration of the Lord Lieutenant and Privy Council ; but this latter body had absolute power to reject them.

A very intelligent and very liberal English writer, who published an account of a tour in Ireland in 1776-7 (Arthur Young), thus describes the impression made on him by a visit to the Irish House of Commons—“ I heard many very eloquent speeches, but I cannot say they struck me like the exertion of the abilities of Irishmen in the English House of Commons ; owing, perhaps, to the reflection, both on the speaker and auditor, that the Attorney-General of England, with a dash of his pen, can reverse, alter, or entirely do away with, the matured result of all the eloquence, and all the abilities of this whole assembly.”

Still, whatever we may think of the policy of Poynings’ laws, these statutes, having been enacted by the Parliament of the Pale, cannot, strictly speaking, be regarded as an English aggression. But the memorable Act, 6 Geo. I., was not only an aggression, but, even according to the dictum of the English Judges, absolutely unconstitutional. Its origin may be easily explained.

In the year 1709, a cause was tried in the Irish Court of Exchequer, between a Mrs. Esther Sherlock and a gentleman of the name of Annesley, in which Annesley was successful. Mrs. Sherlock appealed

to the House of Lords in Dublin, and they, a few years afterwards, reversed the judgment of the Court of Exchequer. But Annesley, being an unpatriotic individual, and not having the Home Government Association before his eyes, brought his case across the Channel, by appeal to the English Lords. And the English Lords reversed the decision of the Irish Lords, thus putting Annesley in possession of the disputed property once more.

But the case was not half over yet. Mrs. Sherlock, who, if she were now living, would, without doubt, be found in the front ranks of the Woman's Rights Association, petitioned the Irish Lords against the usurped jurisdiction of the English Lords—and the Irish Lords, for once, showed some spirit, and stood up stoutly for their rights. They resolved that they would support their honor, jurisdiction, and privileges, by giving effectual relief to the petitioner, and they ordered the sheriff of Kildare, where the disputed premises were situated, to put her in possession.

Now you must remember that the Irish Judges in those days held their offices at the pleasure of the Crown—fixity of judicial tenure not being then considered desirable at this side of the Channel, though it was found very useful in England—and, as a Judge usually dislikes descending from the Bench and resuming practice at the Bar, we need not be surprised that the next step in this complicated business was an injunction from the Court of Exchequer to the



much harassed sheriff, ordering him to reinstate Annesley.

Whether the sheriff was a truly patriotic man, or whether he considered the Irish Lords stronger than the English Lords and the Court of Exchequer put together, and therefore thought it safer to obey the former, we cannot tell. But, whatever may have been his motive, he treated the Exchequer injunction with contempt. The Court imposed a heavy fine on him, but the Lords gave him very effective support, for they sent all the Barons of the Exchequer to jail, and transmitted an elaborate state-paper to the King, in which they pointed out the rights of Ireland, and the independence of their own jurisdiction.

The King sent this document to the English Lords, who, on receipt of same, were very indignant indeed. Many of these Lords had large estates in Ireland: disputes as to title might arise, and it was obviously expedient to keep the ultimate tribunal in their own hands. They therefore resolved to maintain their proceedings.

This was the contest which produced 6 Geo. I., whereby it is enacted "That the kingdom of Ireland hath been, and of right ought to be, subordinate unto, and depending upon the Imperial Crown of Great Britain; and that the King's Majesty, by and with the consent of the Lords spiritual and temporal and Commons of Great Britain, in Parliament assembled, hath had of right, and ought to have, full

power and authority to make laws and statutes of sufficient force and validity to bind the kingdom and the people of Ireland." Another clause took away all jurisdiction from the Irish House of Lords. In fact, this statute and Poynings' laws, taken together, reduced the Irish Parliament to something like the English House of Convocation at present—a collection of grown-up men, playing at legislation. Even the effective power of a veto, which Poynings had left us, was removed by this Act of Geo. I.—an Act which was not only in direct opposition to the whole spirit of parliamentary legislation, but, as I said, completely ignored the dictum of the English Judges, that "the Irish are not bound by English statutes, because they have no representatives here." Even John Fitzgibbon (Earl of Clare) once stated in a letter to the electors of Trinity College—"I have always been of opinion that the claims of the British Parliament to make laws for this country is a daring usurpation on the rights of a free people."

The Irish Parliament had really just as good a right to pass an Act declaring that the King's Majesty, by and with the advice and consent of the Lords spiritual and temporal and Commons of Ireland, in Parliament assembled, hath had of right, and ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the people and the kingdom of Great Britain. The only effective difference between such an Act and that of George I. is simply based on the famous

principle of Mr. Hobbes and Mr. Froude, that Might makes Right.

So far indeed as *Right* is concerned, the Irish had this advantage, that their kingdom is of the higher antiquity. Archbishop Ussher, in his "Discourse of the Religion anciently professed by the Irish and British," points out that, in 1417, at the Council of Constance, a dispute having arisen concerning precedence between the legates of Henry V. of England and Charles VI. of France, the English orators, on the authority of Albertus Magnus, alleged that "Europe is divided into four kingdoms, namely, the Roman for the first, the Constantinopolitan for the second, the third *the kingdom of Ireland*, which is now translated unto the English, and the fourth the kingdom of Spain. Whereby it appeareth, that the King of England and his kingdom are of the more eminent ancient kings and kingdoms of all Europe, which prerogative the kingdom of France is not said to obtain."\* Here it is obvious that England claimed precedence, through, and on account of, her connexion with Ireland.

But, after all, this 6 Geo. I. was little more than a "sentimental grievance." It merely declared authoritatively on the part of England the existing state of things in this country. Practically, the Irish Parliament had been for years under the heel of her British sister; it is not hard to show that the

\* Ussher's Works, Vol. iv. p. 370.

results of this were, in the highest degree, unsatisfactory.

A well-known Irish statesman, writing in 1779, observes, that "If, in a period of fourscore years of profound internal peace, any country shall appear to have often experienced the extremes of poverty and distress—if, at the times of her greatest supposed affluence and prosperity, the slightest causes have been sufficient to obstruct her progress, to annihilate her credit, and to spread dejection and dismay among all ranks of her people, and if such a country is blessed with a temperate climate and fruitful soil, abounds with excellent harbours and great rivers, with the necessities of life and materials of manufacture, and is inhabited by a race of men, brave, active, and intelligent—some permanent cause of such disastrous effects must be sought for."\*

It would have been better if he had said some *causes*, for, in truth, there were several. But certainly no single cause was more effective in bringing about the poverty and distress of our country, than the atrocious commercial laws which the English forced upon us.

A nation of traders is always likely to adopt a selfish line of policy. Notwithstanding innumerable

\* "The Commercial Restraints of Ireland Considered." This work, though published anonymously, is known to have been written by John Hely Hutchinson, Provost of Trinity College.



instances of princely liberality among the great mercantile classes, we may safely say, that the commercial spirit of getting as much, and giving as little for it, as possible, which pervades all bargaining, must exercise a contracting influence on the mind. And this contracting influence must have operated much more powerfully for evil, at a time when the modern theory of free-trade had not as yet made it manifest that to act up to the old adage—"Live and let live"—is not only sound in ethics, but profitable in business.

Whenever the mercantile classes have overwhelming influence in Parliament, the foreign policy of a nation is likely to be hard, narrow-minded, and grasping. And it is probable, that no nation, since the creation of this world, has experienced this sad fact more sharply than has Ireland at the hands of Great Britain. Whenever we hear an Englishman sneering at the poverty of this country, we can, at all events, inform him that it was the reckless and undisguised selfishness of his ancestors, which, deliberately and unconstitutionally, reduced us to such a state.

We may date from the reign of Charles II. the commencement of this revolting system. Before that period, the commercial laws appear to have been, in the main, fair and reasonable. The fourteenth and fifteenth centuries were really far ahead of the seventeenth in their political economy. The Act 17 Ed. III. allows all sorts of merchandizes to be ex-

ported from Ireland, except to the King's enemies. And this freedom of commerce was beneficial to both countries. Ireland was found very serviceable to Edward III. in supplying armed vessels for transports to France. And in 3 Ed. IV., although, on complaint from certain English artificers, that they "could not live for the bringing in of divers wares ready wrought," an Act was passed excluding many manufactures, yet Ireland was specially exempted from its operation; and it was provided that "all wares and *chaffers* made and wrought in Ireland and Wales may be brought in and sold in the realm of England as they were wont before the making of this Act." England, under those mediæval sovereigns, was as careful of the commerce and manufactures of her ancient sister kingdom as she was of her own.

In the early part of the seventeenth century, a great part of the Irish trade consisted in the exportation of live cattle to England. Some English landlords took it into their heads that this was lowering their rents; and, by their influence, a law was passed (15 Chas. II.), to prohibit the trade. The Irish, reduced to great distress by this enactment, had no resource but to work up their own commodities, to which they applied themselves with great ardour. They increased their sheep, and at the time of the Revolution possessed very numerous flocks. Vast numbers of these perished in the troubles which followed, but they were replaced, at

great expense, and became more numerous and flourishing than ever. The woollen manufacture was cultivated in Ireland for ages before, and for several years after the Revolution, with hardly any appearance of jealousy on the part of England; and the country, towards the close of the seventeenth century, was rapidly recovering in wealth and prosperity.\*

But in the month of June, 1698, the English House of Commons presented to the Crown an address, which none of us need hold in any grateful remembrance. They informed King William III. that, "being sensible that the wealth and peace of this kingdom do, in a great measure, depend on preserving the woollen manufacture, as much as possible, *entire* to this realm, they think it becomes them, like their ancestors, to be jealous of the establishment and increase thereof elsewhere, and to use their utmost endeavours to prevent it; and, therefore, they cannot without trouble observe that Ireland, dependent on, and protected by England, should of late apply itself to the woollen manufacture, to the great prejudice of the trade of this kingdom, and so unwillingly promote the linen trade, which would benefit both them and us.

"The consequence whereof will necessitate your Parliament of England to interpose to prevent the mischief that threatens us, unless your Majesty shall

\* Hutchinson's "Commercial Restraints," p. 96.

find means to secure the trade of England, by making your subjects of Ireland to pursue the joint interest of both kingdoms. And we most humbly implore your Majesty's protection and favour in this matter, and that you will make it your royal care, and enjoin all those you employ in Ireland to make it their care, to hinder the exportation of wool from Ireland, except to be imported hither, and for the discouraging of the woollen manufacture, and encouraging the linen manufacture in Ireland, to which we shall be always ready to give our utmost assistance."

The Lords sent a perfectly similar address, and to these disgraceful specimens of short-sighted selfishness William replied: "I shall do all that in me lies to discourage the woollen trade in Ireland, and encourage the linen manufacture there, and to promote the trade of England."

He acted accordingly; and, by Government influence, the Irish Parliament passed an Act imposing a prohibitory duty on all woollen manufactures, except frieze—for which Ireland had been famous before the reign of Edward III. But the British monopolists were not content; and, in the following year (1699), the English Parliament passed a new Act which utterly destroyed our trade.

Now it is to be particularly observed that this wicked Act, consigning to starvation and misery thousands of thriving families, was passed, not on account of actual distress in England, but through



fear of possible dangers. This is quite plain from the words of the address; and I may observe that, eighty years later, this cowardly spirit on the part of the traders manifested itself in an actually ludicrous manner.

In 1778, owing to the rising spirit of the Irish, consequent on the American war, measures were introduced into the British Parliament for relaxing the rigorous code by which the trade of Ireland was shackled. Among these measures was a Bill for the importation of sail-cloth from Ireland. One universal howl of rage and despair burst forth from the manufacturers all over the kingdom. Parliament was nearly swamped with petitions against this dreadful Bill. If the Irish sail-cloth were once admitted, the devil would sail away with the whole country—the sun of England would set in darkness, and rise again no more for ever.

But Parliament adjourned for the Easter holidays, and, during the recess, Edmund Burke ascertained that his new Bill was really a work of supererogation. There was on the English Statute-roll a law of long standing, never repealed, which authorised the Irish to send any amount of sail-cloth to England. In the debate which followed, he laid great stress on this discovery; and argued that, at all events, in the case of sail-cloth, it was evident that the petitioners had not felt from the reality what they dreaded in the idea. And hence he inferred, with

very good reason, that the other matters of apprehension contained in the petitions were as groundless as this.

This narrow-minded selfishness, instanced in the woollen trade, pervaded all the British legislation for Ireland till the defeat of General Burgoyne at Saratoga (October, 1777), and the rise of the Irish Volunteers opened the eyes of the Government to the necessity of some change in their policy. And the virtual abdication of the Irish Government, expressed in a letter of the Secretary, Sir Richard Heron, to the Chief Magistrate of Belfast in 1778, may be regarded as the immediate cause of the organisation of independent Companies. The Lord Lieutenant himself explains it in a letter to the English Home Secretary (May 24th, 1779).

“As much has been observed in England,” he writes, “respecting the forming and existence of these Companies, your lordship will permit me to throw together, as concisely as possible, what at different times has occurred to me upon that delicate subject. Upon receiving official intelligence that the enemy meditated an attack on the north parts of Ireland, the inhabitants of Belfast and Carrickfergus, as Government could not immediately afford a greater force for their protection than about sixty troopers, armed themselves, and by degrees formed themselves into two or three Companies. The spirit diffused itself into different parts of the

kingdom, and the numbers became considerable, but in no degree to the amount represented.”\*

No political philosopher, however disposed to limit the sphere of Government interference, has ventured to deny that the public defence is one indispensable function of all sovereignty. We must hold, therefore, that the Secretary's letter, informing the magistrates of Belfast that they must rely on the townsmen for protection against the national enemy, was a virtual act of abdication. And the Government was not only bankrupt in troops, but bankrupt also in money. In April, 1778, the bank of La Touche propped up their shattered credit by lending them £20,000—but on a renewal of the Government application for relief in the following month, the bankers returned the answer, “that it was not in their power, though very much in their inclination.”

Such being the state of the Administration, the rapid progress of the Volunteers is not surprising. But the perplexity of the Government at this new movement is apparent in every line of the correspondence between the Castle and the English Minister. “Discouragement has been given on my part, as far as might be without offence,” writes the badgered Viceroy. He was afraid to encourage them, but he was still more afraid to offend them; and before long they had complete military possession of the country.

\* Life of Grattan, by his Son, Vol. I., p. 307.

How utterly Arthur Young misunderstood the state of affairs in 1779 will appear from his remarks on the Volunteer movement. Speaking of the commercial Act of that year, he "regrets its not having been done upon principles of sound policy, rather than at a time when it can bear the construction, true or false, of being extorted. To suppose that Great Britain is at the mercy of Ireland, and that an Irish congress may arise, supported by forty thousand bayonets, is mere idle declamation. Those who are so wild as for a moment to conceive an idea of this sort must surely have forgot the Roman Catholics in that kingdom. It would be easy to enlarge on this point but for every reason improper." \*

Thus writes Arthur Young; and indeed it is not at all surprising that he should have regarded Ireland as a smouldering volcano. For the state of the Catholics, at the time we are considering, was absolutely shocking. Their lives had been left them, but not a great deal more. Parliament after Parliament, in direct violation of the Civil Treaty of Limerick, had heaped up ferocious statutes against the prostrate population. Every attribute of liberty, civil, political, religious, was denied the Catholic. He was eligible to no office much above the social position of common hangman. He could not vote at an election. If he had a dispute with a Protestant, he must be tried by an exclusively Protestant jury—

\* Tour in Ireland, Vol. II., p. 212.



and here he was actually in a worse position than an alien; for a foreigner might claim a jury with six foreigners on it. One Statute prohibited a Papist from instructing another Papist; another prohibited a Protestant from instructing a Papist; a third provided that no Papist should be sent out of Ireland to receive instruction. If these three laws had only been capped by a fourth, ordering for immediate execution every Papist who neglected to provide a first-class education for his children, the whole edifice would have been beautifully complete and symmetrical.

But the most shocking of all the penal laws was that which enabled a son, by turning Protestant, or by feigning to do so, virtually to disinherit his father—a contrivance which must be described as hardly less than fiendish. In fact, the whole code affords perhaps the most striking instance in history of the effects of fear in producing savage legislation. For, it must be remembered that nearly all of these laws were the work of the Irish Parliament. The members were of course exclusively Protestants. They knew that they formed a small minority in a country where the mass of the people were grievously oppressed, and therefore discontented. A proposal to remove the discontent by discontinuing the oppressions would most likely have consigned the proposer to a lunatic asylum; and accordingly, to weaken and degrade the Catholics, then regarded as the dangerous classes, was an obvious act of self-defence.

This is the true key to the whole of that disgraceful history. In the debates of the British Parliament (1778) of which I have just been speaking, one of the members, supporting the proposed relaxations of trade, took occasion to express a hope that some indulgence might be extended to the Irish Catholics. But the English Minister replied that “the proposed redress was not within their province; it properly belonged to the Parliament of Ireland; the laws which were so severe against the Roman Catholics had originated there, and redress of domestic grievances should likewise of right originate from them. The penal laws of that kingdom were the consequence of apprehensions, a cause which, however groundless, always produces the most severe and cruel policy.”

Seeing, then, what was the sort of legislation provided for the Catholics, it is certainly remarkable that they gave their hearty support to the Volunteer movement. Perhaps one cause of this was the protection to Irish manufactures which formed a leading feature in the programme of the independent Companies. This protection would abate,—or at least was intended to abate,—a common grievance. And thus the non-importation agreements, like the late University Bill, had, at all events, the merit of uniting all classes of Irishmen. However, whatever was the reason for it, there is no doubt that the Catholics falsified Arthur Young’s prognostications by standing manfully to the Volunteers; in some

counties they even commenced enrolling themselves into separate companies, and, when this was ungraciously prohibited, they contributed liberally for the purchase of arms and ammunition for the Protestants.

Moreover they sent many addresses to the Government, professing their readiness, in case of invasion, to do their duty as loyal subjects. These addresses, in fact, were *so* loyal that not a few individuals fell into the mistake of supposing that the Catholics were actually quite contented with their wretched position. A few years later, Sir Boyle Roche, who so distinguished himself by discovering the strange relation between birds and space, presented the Volunteer convention with an address, professing to emanate from the Earl of Kenmare and a large number of other Catholics, in which they asserted their perfect content, and, on the whole, delight, in the existing laws. But it turned out that the learned metaphysician had been hoaxed; and a large meeting of Catholics, presided over by Sir Patrick Bellew, proclaimed that they had not so completely lost the common feelings of human nature, as to remain *contented*, though they might be *submissive*, in a state of virtual slavery.\*

We may date the historical importance of the Volunteer organization from the election of the Earl of Charlemont as General-in-Chief of the independent companies. As long as these remained isolated

\* Parnell's History of the Penal Laws.

from each other, they could not bring much pressure to bear upon the Government; but the case was altogether different when the key-stone, which was wanting to convert them into an army, was once supplied.

Had James, Earl of Charlemont, been a man of different type from what he proved to be, our past history—whether for better or for worse—would certainly have been different. His character was that of an amiable, high-minded, and honorable nobleman, patriotic and liberal according to his lights, profoundly attached to the British constitution, but as utterly destitute of military talents as Mr. Carlyle's "Courageous Wooden Pole with Cocked Hat." That a man of this description should have been entrusted, at such a crisis, with the command of the Volunteers, was a matter of vital importance in our troubled history. If Lord Charlemont had possessed both personal ambition and military ability, it is next to impossible that the proceedings of 1783 could have terminated without a direct collision between the Irish Parliament and the Volunteer army, which must have resulted either in Revolution or in unsuccessful civil war.

Meanwhile the organization of the new force proceeded rapidly. The non-importation, and non-consumption agreements were strictly carried out, and sorely perplexed the Government. A great meeting of the freemen was held in Dublin, at which it was unanimously agreed "That we will not, from



the date hereof, until the grievances of this country shall be removed, directly or indirectly, import or consume any of the manufactures of Great Britain ; nor will we deal with any merchant or shopkeeper who shall import such manufactures.”

We cannot blame the people for such measures of retaliation, though the enforcement of protection by the process of Lynch-law can hardly be justified. The Dublin newspapers of the day abound in accounts of the outrages and tumults which were constantly taking place through the carrying out of the agreement ; and they also abound in articles which must have had no small tendency to stimulate such outrages and tumults. Thus *Faulkner's Dublin Journal* for Saturday, December 27, 1783, writes—“ We have been told of one hundred and seventeen sharpers, pickpockets, and footpads who have emigrated hither from England within the last twelve months. The number is undoubtedly alarming, their designs detestable and dangerous. But though these predatory travellers are commonly set down among the worst kind of imports, yet all of them put together are not as pernicious enemies to Irish prosperity as the importers and wearers of foreign goods.”

Tarring and feathering the delinquents, and parading them in this unsatisfactory condition about the streets, appears to have been the usual punishment ; though, in aggravated cases, they sometimes gave the offender a few dozen lashes as a prelimi-

nary. And the non-importation laws seem to have been what the lawyers call “not *strictly* but *liberally* construed;” for, on one occasion, Lord Muskerry, regardless of expense, having imported a magnificent new chariot from London, the mob held it to come under the Statute, and accordingly tarred and feathered *it* also, and drove it about the streets to utter ruin and destruction.\* The Volunteers too were careful that their uniforms should be of Irish manufacture; but they showed unmistakeably that what they wanted was the removal of commercial restraints—their cannon were labelled, “Free-trade or ———.”

But the commercial question was not the only source of disturbance in the metropolis. After Grattan had carried his famous Free-trade amendment to the Address to the Lord Lieutenant (Oct., 1779), he brought in a most effective measure, called the “Short Money Bill,” by which the supplies, instead of being, as usual, voted for two years, were granted for six months only. This was a formidable check on the Government; and was, therefore, very popular throughout Ireland. And on the fifteenth of November, the Dublin mob, growing impatient at parliamentary delays, resolved to take the matter into their own hands. A serious riot broke out.† It was openly announced that to destroy the enemies of Ireland was the surest way to success. The

\* New Annual Register, 1784, p. 62.

† Annual Register, 1779.

rioters took particular trouble to murder the Attorney-General, Mr. Scott, first seeking him at his own residence, which they nearly destroyed, then at the Four Courts, and finally at the House of Commons; but not succeeding in finding him, they swore all the members they could catch to be true to Ireland, and to vote for Short Money. At last the Volunteer corps of the lawyers, being requested by the Lord Mayor, agreed to disperse the mob; which they easily did, by going among them unarmed, and advising them to go home quietly. Scott was naturally indignant at these proceedings; and a very sharp personal altercation took place in the House of Commons between him and Mr. Yelverton, the commander of the lawyers' regiment. The Attorney averred that the Volunteers had not shown sufficient alacrity in suppressing these outrages, and he described Mr. Yelverton as the "Seneschal of Sedition"—to which the latter replied by calling Scott "the uniform drudge of every administration." \*

Just at this crisis the British Government took a step, the policy of which can only be compared with that of the American Stamp Act. No constitutional safeguard had been more cherished than that of the Annual Mutiny Bill, by which the Crown is effectually prevented from maintaining a standing army without the consent of Parliament. Ireland had always been included in this Bill; but now the grow-

\* Lord Mahon's History of England, Vol. VII., p. 152.

ing independence of the nation rendered the people adverse to the operation of an English Act, without the sanction of the Irish Legislature. And thus the name of Ireland was omitted in the English bill, and, in conformity with Poynings' law, the heads of a separate Mutiny Bill were transmitted to England.

But the Cabinet of Great Britain was so infatuated as to alter the Bill from an *annual* to a *permanent* Act; the Irish Parliament was subservient enough to pass it; and thus, at the very time when the Irish nation was most sensitive as to her rights, and most jealous of the supremacy of England, she was deprived of this fundamental bulwark of the Constitution—a bulwark which the English themselves would rather have been put to the sword than surrender.

This Perpetual Mutiny Bill was one of the leading causes of the famous meeting at Dungannon, February 15, 1782, the precursor of the still more famous Declaration of Rights, which was carried unanimously by the Irish Parliament, on the sixteenth of April in the same year.

I take it for granted that, addressing an Irish audience, it is needless to delay with the history of those momentous days. You all know how it was decreed that "No Parliament hath any authority or power of any sort whatever in this country, save only the Parliament of Ireland," and how the British Parliament surrendered, and registered the decree. But I may observe that it is a serious mistake to assert,



as many English historians have done, that this surrender was the result of wise and liberal views respecting the government of Ireland. Here is the description given by a very fair and liberal writer, Sir Thomas Erskine May:—

“The Irish Parliament unanimously claimed for itself the sole authority to make laws for Ireland, and the repeal of the Permanent Mutiny Act. These claims the British Parliament, animated by a spirit of wisdom and liberality, conceded without reluctance or hesitation. The concession was gracefully and honourably made, and the statesman (Fox) who had consistently advocated the rights of Ireland, while in opposition, could proudly disclaim the influence of intimidation. The magnanimity of the act was acknowledged with gratitude and rejoicings by the Parliament and people of Ireland.” \*

“The concession,” he says, “was gracefully and honourably made.” Can he have forgotten that the British army had recently expired in America, and that Ireland was in military possession of forty thousand Volunteers, whose cannon were standing on the bridges of Dublin, whose battalions were parading before the Senate-house, while the debates were in progress. A man sentenced to be hanged, who knows that all resistance is hopeless, and who, when the day of execution arrives, walks peacefully to the gallows, is not usually described as making a

\* Constitutional History of England, Vol. II., p. 527.

graceful concession to the outraged laws of his country. But he makes just as graceful a concession as did the British Parliament on the day they repealed 6 Geo. I. It is true there was no fighting about it, but, none the less, the repeal was a capitulation to physical force.

And now the question arises—was this triumph of the Volunteers a resurrection of the long-dormant nationality of Ireland? I cannot believe that it was. When Grattan stood up in the House of Commons and said, “I am now to address a free people. Spirit of Molyneux, your genius has prevailed! Ireland is now a nation”—his words were premature. We may say more truly that the legislation of 1782 placed in the hands of Ireland the power of making herself free; but she lost her opportunity, and she has never found another.

No doubt, the British Parliament acknowledged, by the Acts of 1782–3, in words as unambiguous as any that could be written, that the Parliament of Ireland *alone* had any power or authority to legislate for Ireland,—that the Parliament of Ireland *alone* ever should have such authority. But I cannot bring myself to recognise, as our national Parliament, an assembly in which not only were three-fourths of the people avowedly unrepresented, but in which fully three-fourths of the members, ostensibly returned by the small minority that was left, were, either directly or indirectly, the corrupt nominees of the British Government.

And such was the composition of the House of Commons emancipated by Grattan and the Volunteers. The members, all being Protestants, and elected by Protestant voters exclusively, represented barely one-fourth of the nation. But they could claim to represent this one-fourth, only on the assumption that the elections were all *bonâ fide*—which is exactly what the elections were *not*. Corrupt as was the English House of Commons at that time, the Irish was far worse. Two peers, between them, nominated no less than sixteen of our so-called representatives ; and altogether the number of members *elected freely* by the small Protestant constituency, has been computed at less than one-fourth of the House.

So we may estimate that, of the natural constituency of Ireland, the part which had any voice at all in the House of Commons was about a fourth of a fourth of the whole. And the knowledge of this fact throws additional light on the “graceful readiness” with which the British Cabinet assented to the repeal of the usurping Acts of Parliament. None knew better than they did, how much the hard problem of bringing into harmony the two independent legislatures would be simplified when the members of the smaller body were readily amenable to the power of the national purse.

But that this peculiarity in the mode of electing the House of Commons should have been equally satisfactory to the Volunteer army could not reason-

ably be expected. Their officers very quickly came to the conclusion that, unless a sweeping measure of parliamentary reform were speedily carried, the triumph they had just won would be little more than illusory. They caused to be printed and circulated lists of the House of Commons which contained a variety of useful information—but it was a kind of information that the patrons of boroughs would, on the whole, rather have concealed. These lists proclaimed to an ungrateful public the self-sacrificing efforts of the borough proprietors to provide the nation with a thoroughly reliable House of Commons. They indicated the mode of election of each member; the number of persons who nominally returned him; the name of the individual who really returned him; and, as far as it could be ascertained, the amount of the money consideration which was paid for such unconstitutional representation. I need hardly say that the publication of these lists had no tendency to allay the discontent; agitation increased; numerous angry meetings were held; at last a second meeting of the Volunteer delegates assembled at Dungannon,—a very memorable meeting was this; for these delegates brought on the crisis from which we must date the decline and fall of the great independent army.

They resolved that a Grand National Convention should be held in Dublin on November 10th, 1783. It was to consist of 300 deputies of the Volunteers, to be elected by the different corps throughout the



country; and the design of the convention was to enforce parliamentary reform. A dangerous crisis in our history was plainly impending. The existence in *any* country of a powerful military force, self-supporting, electing and obeying their own officers, and wholly independent of State control, is, at all times, hard to reconcile with parliamentary government. We have seen what was the emergency in which the Irish Volunteers sprang into life; but that emergency had passed away. The war with America and France was over; there was no more danger from privateers. Still, the Volunteer Army, far from acting on the numerous very broad hints from the Castle to the effect that they might advantageously disband, had prodigiously increased in number, had become better disciplined and better equipped, and were now on the point of opening a representative assembly in Dublin for the express purpose of remodelling the constitution. One thing was plain—either the military Parliament or the civil Parliament *must* give way.

The streets of Dublin have rarely witnessed such a show as that of the 10th of November, 1783. All the delegates were men elected for their rank, their wealth, their ability. Detachments from their different regiments escorted them to Dublin; and these vied with each other in the splendour of their arms and uniforms. Many of the cavalry were mounted on magnificent hunters. It was originally intended that the convention should meet in the Royal Ex-

change (the present City Hall), but the Round Room of the Rotunda was found more convenient, and was therefore selected for their Senate House. From the Exchange, down Parliament-street, over Essex-bridge, along the Quays, along the Mall of Sackville-street, the convention marched to the Rotunda with the utmost pomp and glory of military pageantry. Twenty-one guns announced their departure. A troop of cavalry, followed by a brigade of artillery, led the way; next followed a company of the barristers' grenadiers, with the national standard of Ireland.

Then—I say it with sorrow—there came a band playing a piece of music known as the Volunteers' March, a piece perhaps unmatched in human history for utter hideousness and atrocity. If it be true, as Sir Jonah Barrington seems to imply, that this dreadful march was the result of the united labours of all the leading musicians in Dublin in the year 1780, we may indeed blush for our country's fame.\* Afterwards came many more regiments, and bands, and chaplains, till the long procession was terminated by another brigade of artillery, which carried a somewhat profane label on the mouths of their cannons, and was escorted by more barristers.

The streets were crowded, green ribbons and handkerchiefs waved from every window, all the house-tops were thronged with eager spectators.

\* This beautiful piece, arranged for the piano, is printed in Barrington's *Historic Memoirs of Ireland*, Vol. II., p. 176.

Poor, Sir Jonah Barrington, writing long after the Union, describes this great spectacle of which he, a student in Trinity College, was an eye-witness, and mournfully adds, that "those who did not see, or who do not recollect that splendid day, must have the mortification of reflecting that under all its circumstances no man did before, and no man ever will behold its like again."

But the most extraordinary part of the proceedings was the triumphal entry of the Bishop of Derry. Frederick Augustus Hervey, Earl of Bristol, was perhaps the most singular personage of the day. What could have been the motive of a wealthy English peer in coming to this country as a bishop is in itself a mysterious problem. The revenue of the see was certainly not the source of attraction, for lord Bristol was a man of princely liberality. A morbid ambition alone can account for it. He seems to have had the notion that if he identified himself with the popular party in Ireland, his great wealth, his temporal and spiritual peerage, and his considerable abilities all combined, would enable him to place himself at the head of the nation. On some occasions he actually assumed the usual insignia of royalty, and appeared in public, dressed in imperial purple, seated in a chariot drawn by six horses, and escorted by a troop of dragoons.

This wonderful bishop—animated, I suppose, by the spirit of the fighting Bishop of Norwich—got himself nominated as a member of the military

convention. And he certainly outdid himself in the splendour of his entry into Dublin, and progress to the Rotunda. On his way he took the opportunity of stopping at the House of Lords, and drove both Peers and Commons nearly distracted with the clangour of his trumpets, and the appalling strains of the Volunteers' march. There can be no doubt that he expected to be chosen President of the convention, but the influence of lord Charlemont was too great, and the bishop was disappointed.

It can easily be understood that, to a man as warmly attached to the British constitution as lord Charlemont undoubtedly was, the whole scheme of this national convention was utterly distasteful. It was resolved upon in direct opposition to his judgment; and I have no doubt that, in countenancing it at all, his design was to avert, if possible, impending revolution. A similar motive must have now induced him to assume the chair; he wished to exclude a dangerous man.

Of the debates and proceedings in the Rotunda our information is but scanty. The art of journalism was in a very imperfect state; reporters were incompetent, and often grossly ignorant. Mr. Hardy, in his *Life of Charlemont*, relates that in a debate on the famous Mutiny Bill, Mr. Hussy Burgh, having quoted an opinion of the great lawyer, Sergeant Maynard, the reporters informed the public that "the learned gentleman very appositely introduced a saying of an eminent sergeant-major."



Still we are able to gather that the proceedings were conducted with fully as much decorum as those of the House of Commons. Indeed, several Members of Parliament had seats in the convention also; and these evidently considered that the military assembly was by far the more important of the rival bodies. One member excused himself to the House of Commons for neglecting to bring forward a motion of which he had given notice, by intimating that his important business in the convention did not leave him leisure to attend to mere parliamentary trifles. Others adjourned the trial of an important election petition on similar grounds. And indeed they had plenty of work on hand. During the three weeks of their existence, almost every possible or impossible scheme of reform was brought forward, discussed, condemned, and rejected ; but at last they agreed on a measure, drawn up by Mr. Flood, and they directed him to present it to Parliament.

Saturday, the 29th of November, was the day for the great battle. It was a struggle for life or death. The debate, which lasted all night, was conducted with unprecedented fury and personal abuse. Mr. Fitzgibbon refused leave to bring any measure into the House on the point of a bayonet. Flood replied that he had not brought it in on a bayonet, and Mr. Curran observed that Fitzgibbon was a maniac and an incendiary. Mr. Toler, with characteristic coarseness, described the genealogy of the

Bill in language which I cannot here venture to repeat. At last Mr. Flood was defeated by an immense majority ; leave to introduce the Bill was refused.

What other result could have been anticipated ? the House of Commons was summoned to proclaim to the world the fact of their own corruption. And, as might have been expected, they refused to do it. Now was the time when lord Charlemont's influence in the convention manifested itself as a fact of vital importance in our history. Had he been a man endowed with the military genius, and animated by the personal ambition of Napoleon I., or of Oliver Cromwell, the whole course of our history might have been changed. We must remember that in obedience to a circular from the convention the whole Volunteer army would have marched on Dublin. If then their General had surrounded the Parliament, entered the House of Commons, and, pointing to the mace, desired his soldiers to take away that bauble—had he turned out the Members, locked the doors, and put the keys in his pocket—had he summoned a free Parliament, repealed the penal laws, and emancipated the Catholics, who can say that a really independent Ireland might not have emerged from the chaos ?

Whether England, in her exhausted condition, would again have had recourse to arms, or whether she might not have, like Dogberry, thanked God that she was rid of us, we can only conjecture now.

At all events, the crisis was postponed. Lord Charlemont was not the man for resistance. As soon as the vote of the Commons was known he resolved, at all hazards, to put an end to the convention. They met on Monday. One of the delegates commenced an oration on the ignominious reception which their Bill had met in the House of Commons. But he was silenced by the chairman on the grounds that to notice the proceedings of another house is unparliamentary; and on the following day, after passing an address to the Crown, the Grand National Convention of Ireland was adjourned *sine die*.\*

This was, of course, equivalent to a dissolution; and from that day, December 2nd, 1783, we must date the fall of the Volunteers. They were thoroughly disheartened by the collapse of the convention; they had lost their confidence in their leaders; and, though their armed organization lingered on for several years more, they were no longer formidable, and they gradually disappeared.

With the decay of this great army we leave behind us the last episode in our weary history upon which we can look back with feelings of pride and

\* It appears from the Dublin newspapers that the convention was not finally adjourned till Tuesday. This fact sufficiently refutes the disgraceful charge brought against lord Charlemont by Barrington, Vol. II., p. 204 (and repeated by Madden in his "United Irishmen," Vol. I. p. 56), of having "duped the Volunteers."

gratification. The whole of their proceedings show most clearly how loyal and well disciplined a force can be organized from the voluntary enrolment of Irishmen when they are placed under leaders in whom they trust. Had those leaders been a little more liberal—I use the word *liberal* in its modern sense—many a dark page in our subsequent history would have been unwritten. But there was small trace of any such spirit among them. In that, Henry Grattan stood almost alone. “I should be ashamed,” said he, “of giving freedom to but six hundred thousand of my countrymen, when I could extend it to two millions more.” But neither lord Charlemont nor Mr. Flood could bear to admit their Catholic fellow-subjects to any share in political rights. Flood expressly distinguished between these latter and rights of property.\* He would give the Catholic the right to accumulate any amount of wealth, but would carefully exclude him from the electoral franchise—a strange piece of short-sightedness, if nothing worse, for surely in that age of gross venality and corruption, wealth, by a very simple process, was readily transmuted into power. I think it is plain that a few truly liberal leaders might easily have won from sectarian jealousies a body of troops whose delegates at Dungannon passed with unanimous acclamation† the Resolution, “that, as men, as Irishmen, as Christians, and as Protestants, we

\* See the Life of Flood, by Warden Flood.

† Parnell says there were *two* dissentients.



rejoice in the relaxation of the penal laws against our Roman Catholic fellow-subjects; and that we conceive the measure to be fraught with the happiest consequences to the union and prosperity of the inhabitants of Ireland.”

When I began to write this Lecture, my intention was, first, to give a short sketch of the origin of independence in the Irish Parliament, and then to proceed to the period of the Union, when that Parliament was finally destroyed. But time will not allow me to enter upon the second branch of my subject. And I postpone its consideration with the less reluctance, as the history is not only painful but degrading. “Sir, do not make a union with us,” said Dr. Johnson once to an Irishman; “we should unite with you only to rob you. We should have robbed the Scotch, sir, if they had had anything of which we could have robbed them.” I think we may acquit the English of this ignominious charge; but the most uncompromising advocate of the Union that ever lived will not hesitate to stigmatize, as infamous, the means by which it was accomplished; nor will he venture to defend a scheme which poured a million and a half of the public money into the pockets of men whom lord Cornwallis himself, while shovelling out the cash, “longed to kick.” \*

Nor has the retrospect of the last seventy-two years the smallest tendency to justify by results that

\* Correspondence of Marquis Cornwallis, Vol., III. p. 101.



unmatched instance of legislative corruption. As for England, all the world knows that Ireland has been for her a perennial thorn, a grievous weight, the well-recognized stain and blot on her empire. As for ourselves, we have no more, indeed, to struggle with oppressive commercial laws—England has successfully prohibited the accumulation of much capital here, and may now laugh to scorn the rivalry of our trade. But our present grievance is the contemptuous ignorance of this country, its institutions, and everything connected with it, which pervades the ruling nation.

Dean Swift, writing in 1724, tells us that in his days there were Englishmen who believed that “the wild Irish Papists were taken in toils, but that in time they grew so tame that they would eat out of your hand.”\* I do not mean to say that this is *now* an article of faith in England. Still it is impossible for an Irishman to travel there, and to mix in general society, without being painfully impressed by the fact that the English know about as much, and not more, of his countrymen as they do of the aboriginal Mexicans. And, if the English do not understand us, and ostentatiously proclaim that they don’t think it worth their while to try to understand us, and if they will nevertheless persist in governing us, can it be wondered that Ireland is in a state of chronic discontent?

\* The Drapier’s Letters.

And can we wonder either that England DOES regard us with this contemptuous indifference? As long as we continue, year after year, to send to the House of Commons a body of representatives who cannot be brought to act together on almost any question in which Irish interests are at stake—as long as we find at each division fifty-two of our hundred and three members in one lobby, and the balance in the other—can we blame the Englishman when he tells us that, as we don't know our own minds, it is unreasonable to expect *him* to be wiser on this point than we are ourselves?

Dr. Theodor Mommsen, in his well-known comparison between the Celts in Gaul of Cæsar's days and the modern Irish, gives, as a common characteristic, "the closeness with which those who are fellow-countrymen cling together, almost like one family, in opposition to the stranger."\* This may have been true for the Gallic Celts, but as for ourselves I greatly fear it is the reverse of the truth. George III. was nearer the fact when he said, "I never knew one Scotchman speak *ill* of another, unless he had a reason for it; but I never knew one Irishman speak *well* of another, unless he had a reason for it."† The real source of our political degradation is simply our want of union among ourselves. I will mention, in conclusion, what appears to me to be

\* History of Rome, Vol. IV., Part I., p. 287.

† Mahon, Hist. of England, Vol. VII., p. 151.

the deepest and most formidable cause of this grand trunk of the Upas tree.

Every one knows that the Irish are an essentially religious nation—and surely, in these days of sordid materialism, when so many seem to place the *summum bonum* of the species in making up shoddy and selling it for cloth, all right-thinking men will rejoice that what really raises the human race above the level of the beasts is held in due honour by our countrymen. But it is exactly in a religious nation, where more than one type of religion exists, people find it next to impossible to believe that a man may differ from them in his faith, and yet not necessarily be the personal enemy of God Almighty. This dogma, that every one except ourselves is going straight to the devil, pervades all creeds alike ; but unless it can be removed there is but small hope for any stable unity in Ireland. The different persuasions may, to meet some special emergency, be temporarily united, but the union cannot last; a fire lies always smouldering beneath, ready at any moment to burst forth and fill the land with open hatred and strife. All history shows that men cannot be persistently taught that their neighbours are going to hell, without gradually coming to hate their neighbours. The enemy of God is the enemy of all good, and ought to be regarded and treated accordingly.

How much time must elapse before the conviction dawns upon us that to hate each other with deadly

malignity on account of our different religious opinions is not *essential* to Christianity, would be hard to say. I do not doubt that the recent establishment of perfect religious equality among us all will greatly accelerate the advent of that era. But till that day arrives I greatly fear that our best course is to submit as calmly and peaceably as we can to the uncontrolled dominion of a Parliament which is both ignorant of our wants and careless of our welfare.

Barrington, comparing the policy of Mr. Pitt and Mr. Fox, observes that "the ambition of both was to govern the empire. Their rivalry was of party, and their struggle was for power; but the internal prosperity of Ireland, *as a distinct abstract consideration*, gave not one hour's solicitude to either the one or the other of those celebrated ministers."\*

Substitute here, for Pitt and Fox, the names of the rival political chiefs of the present day, and we shall have a short but substantially accurate description of the principle on which Ireland is governed in 1873.

But, could we once unite permanently, and could we show by the votes of our representatives that we were permanently united, all this would be quickly changed. No one can have observed the growing incapacity of the House of Commons to manage the affairs of the vast empire of which we form a constituent part,—no one can have observed

\* Rise and Fall of the Irish Nation, p. 105.

the ever accumulating mass of public business vainly waiting for transaction, without being convinced that some great change is inevitable before long. And, no doubt, a local assembly in Dublin to transact the Irish business would be an obvious simplification of the work of the Imperial Parliament.

But, if ever this Home Rule comes to us, it will come with a blessing or with a curse, according to the answer we can give on that day to this question—

“ Have the Catholics and the Protestants of this country, not in word and in tongue, but in deed and in truth, been fused into one nation, united and reconciled? ”

THE END.





